



Entered on Docket  
May 03, 2007

Hon. Linda B. Riegle  
United States Bankruptcy Judge

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*Counsel for the Official Committee of Equity Security Holders of  
USA Capital First Trust Deed Fund, LLC*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:	) BK-S-06-10725-LBR
USA COMMERCIAL MORTGAGE COMPANY	) Chapter 11
Debtor	)
In re:	) BK-S-06-10726-LBR
USA CAPITAL REALTY ADVISORS, LLC,	) Chapter 11
Debtor	)
In re:	) BK-S-06-10727-LBR
USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,	) Chapter 11
Debtor	)
In re:	) BK-S-06-10728-LBR
USA CAPITAL FIRST TRUST DEED FUND, LLC,	) Chapter 11
Debtor.	)
In re:	) BK-S-06-10729-LBR
USA SECURITIES, LLC,	) Chapter 11
Debtor.	)
Affects	)
<input type="checkbox"/> All Debtors	)
<input type="checkbox"/> USA Commercial Mortgage Co.	)
<input type="checkbox"/> USA Securities, LLC	) DATE: May 9, 2007
<input type="checkbox"/> USA Capital Realty Advisors, LLC	) TIME: 2:30 p.m.
<input type="checkbox"/> USA Capital Diversified Trust Deed	)
<input checked="" type="checkbox"/> USA First Trust Deed Fund, LLC	)

**ORDER RE STIPULATION RE MOTION BY THE OFFICIAL COMMITTEE OF  
EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND  
LLC TO ESTIMATE AN ADEQUATE RESERVE FOR UNLIQUIDATED AND  
DISPUTED CLAIMS IN ORDER TO PERMIT FURTHER DISTRIBUTIONS TO  
FTDF MEMBERS (KANTOR)**

The Court having considered the Stipulation re Motion by the Official Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC to Estimate an Adequate Reserve for Unliquidated and Disputed Claims in Order to Permit Further Distributions to FTDF Members (Kantor) (the "Stipulation") and good cause appearing:

IT IS HEREBY ORDERED THAT the Stipulation is approved.

IT IS FURTHER ORDERED THAT on an interim basis, in order to allow the FTDF to make distributions to its members, a reserve in the amount of \$6,000,000 shall be established on behalf of the Kantor Claims (the "Kantor Reserve") pending a ruling on the FTDF Committee's objection to the Kantor Claims on May 9, 2007 at 2:30 p.m. (the "Objection").

IT IS FURTHER ORDERED THAT, pursuant to the Stipulation, in no event will the Kantor Claims be allowed in an amount exceeding the Kantor Reserve.

IT IS FURTHER ORDERED THAT, other than as expressly provided herein, the Stipulation and this Order shall have no preclusive, *res judicata*, or otherwise prejudicial effect on the ultimate amount of the Kantor Claims, which shall be determined by further order of the Court. The Kantor Claimants and the FTDF Committee retain all of their rights, including with respect to a future "prove up" of the amount of the Kantor Claims, as well as

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1 the amount of any future reserve to be set in connection therewith.

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1 the amount of any future reserve to be set in connection therewith.

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